

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SERKIS MENDIK,

Plaintiff,

Case No. 21-11321

v.

Hon. George Caram Steeh

SUBURBAN OF FERNDALE, LLC, *et al.*,

Defendants.

_____ /

ORDER GRANTING MOTION FOR
ALTERNATE SERVICE (ECF NO. 11)

Plaintiff seeks to serve Defendant Darren Emad Naimi by alternate means. Plaintiff attempted to serve Naimi personally at his residence in Waterford, Michigan, but discovered that his home is under renovation and that no one appears to be living there. The address remains current, as no change of address or forwarding request was received by the post office. ECF No. 11-2, 11-3. Naimi's vehicles are registered to the Waterford address and he is a registered agent for two limited liability companies, also at that address. ECF No. 11-4, 11-5. Plaintiff seeks leave to serve Naimi by first-class mail, posting, and certified mail, return receipt requested.

Pursuant to Fed. R. Civ. P. 4(e), service on an individual may be made by “following state law” in the forum state. The Michigan Court Rules provide that an individual may be served by personal delivery or by certified mail, return receipt requested, and delivery restricted to the addressee. M.C.R. 2.105(A). If service “cannot reasonably be made as provided by this rule, the court may by order permit service of process to be made in any other manner reasonably calculated to give the defendant actual notice of the proceedings and an opportunity to be heard.” M.C.R. 2.105(I).

In light of the circumstances, it appears that service cannot reasonably be made as set forth in the court rules. Plaintiff proposes effecting service by posting, first-class mail, and certified mail. The court finds these methods are reasonably calculated to give Defendant actual notice of these proceedings and an opportunity to be heard. *See Interstate Asphalt Holdings LLC v. Spry*, No. 20-CV-12755, 2020 WL 7338566, at *2 (E.D. Mich. Dec. 14, 2020).

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s motion for alternate service is GRANTED. Plaintiff shall serve Defendant Naimi a copy of the summons, complaint, and this order, by the following methods: (1) posting on the door of 3665 Lake Front Street, Waterford, MI 48328; (2)

first-class mail to the same address; and (3) certified mail, return receipt requested, to the same address.

Dated: August 23, 2021

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 23, 2021, by electronic and/or ordinary mail.

s/Brianna Sauve
Deputy Clerk